

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON**

ESTATE OF CINDY LOU HILL, by and
through its personal representative, Joseph A.
Grube,

Plaintiff,

v.

NAPHCARE, INC, an Alabama corporation;
and SPOKANE COUNTY, a political
subdivision of the State of Washington,

Defendants.

Case No. 2:20-CV-0410-MKD

CIVIL MINUTES

DATE: 7/11/2022

LOCATION: Spokane

JURY TRIAL - DAY ONE

JUDGE MARY K. DIMKE		
Linda Hansen	LC 02	Crystal Hicks
Courtroom Deputy	Law Clerk	Interpreter
Edwin S Budge, Hank L Balson and Beth Bloom		John E Justice <i>for Def Spokane County</i> Erin Ehlert, Ketia Wick, Ed McNelis and Christopher Quirk <i>for Def Naphcare</i>
Plaintiff's Counsel		Defense Counsel
<input checked="" type="checkbox"/> Open Court		<input type="checkbox"/> Chambers
		<input type="checkbox"/> Video-Conference

8:35 am **All parties present
w/o jury panel**

The Court advised counsel that jurors 6 and 45 have been excused due to illness and juror 27 has not appeared.

Juror 37 was brought into open court and excused for cause.

The Court and counsel discussed wearing masks in the courtroom. The parties will be required to wear masks in the courtroom for the first week.

Recess: **8:46 am**
Reconvened: **9:02 am**

9:04 am **Jury panel brought into open court.**
All parties present
w/jury panel

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Jury Trial

Oath of Voir Dire administered to all prospective jurors present (45).

Court advised jury panel of length of trial. Summary of case read to the jury panel.
Courtroom introductions and names of witnesses read to the jury panel.

10:20 am Jury excused from open court
All parties present
w/o prospective jurors

The Court discussed the schedule going forward.

Recessed: 10:23 am
Reconvened: 10:33 am

-Pause in proceedings to obtain additional hearing-impaired headset-

Voir Dire by Court of all prospective jurors present.

Court and counsel at sidebar

10:54 am Jurors excused for lunch and directed to return at 12:30 pm.

Private individual Voir Dire conducted by the Court and counsel with Juror Nos. 2, 4, 16, 24, 26, 20, 33, 41, 3 and 38.

The Court excused Juror Nos. 2, 16, 24, 26, 20 and 33 for cause.

The Court advised counsel that after voir dire any challenges for cause will be taken outside the presence of the jury.

Recessed: 12:25 pm
Reconvened: 12:50 pm
All parties present
w/prospective jurors

The Court advised the jury venire the attorney Edward McNelis will be joining the trial in a couple of days.

12:55 pm to 1:23 pm Voir Dire of the venire by Ed Budge on behalf of Plaintiff

1:24 pm to 1:54 pm Voir Dire of the venire by Ketia Wick on behalf of Defendant Naphcare

1:54 pm to 2:23 pm Voir Dire of the venire by John Justice on behalf of Defendant Spokane County.

2:24 pm to 2:38 pm Additional Voir Dire by Mr. Budge

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Jury Trial

2:38 pm to 2:50 pm Additional Voir Dire by Ms. Ehlert

2:50 pm to 2:57 pm Additional Voir Dire by Mr. Justice

The Court asked a final voir dire question

2:58 pm Prospective Jurors excused from open court

All parties present

w/out jury panel

Ms. Bloom advised that Plaintiff intends to make challenges for cause as to Jurors 9, 10, 11, 13, 18, 23, 29, 31, 32.

Defendants Naphcare and Spokane County advised they do not have any challenges for cause.

Recessed: 3:02 pm

Reconvened: 3:15 pm

All parties present

w/o jury panel

Ms. Bloom presented challenges for cause on behalf of the Plaintiff. Challenge as to prospective Juror Nos. 10, 23, 29 and 31 are withdrawn.

Mr. Quirk presented argument on behalf of Naphcare and Mr. Justice presented argument on behalf of Spokane County.

Court Rulings: Granted as to Jurors 3, 18; Denied as to Juror 32.

Juror Nos. 15 and 42 have made requests to be excused due to hardship.
Granted as to Juror Nos. 15 and 42.

Recessed: 3:52 pm

Reconvened: 4:05 pm

Court Rulings: Challenges for Cause as to Jurors 9 and 13 are GRANTED; and DENIED as to Juror No. 11.

4:13 pm Jury panel brought into open court

Juror Nos. 3, 18, 15, 42, 9 and 13 were dismissed with the thanks of the Court

Preemptory challenges made by respective counsel.

4:29 pm Ten jurors selected to try the cause.

Remaining jurors excused with the thanks of the Court.

Oath administered to empaneled jurors to try the cause.

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Jury Trial

Court gave Preliminary Instructions to the jury.

The Court admonished the jurors and excused them for the evening with directions to return to resume the trial tomorrow, July 12th at 8:30 a.m.

The Court and counsel discussed the witness schedule for tomorrow.

The Court advised counsel to be in the courtroom by 8:00 a.m. and if any matters need to be addressed by the Court they shall be taken up before 8:30 a.m.

Adjourned: 5:06 pm

CONVENED: 8:35 AM	RECESSED: 8:46 AM	TIME: 11 MINS	TOTAL: 7 HRS / 18 MINS
RECONVENED: 9:02 AM	RECESSED: 10:23 AM	1 HR / 21 MINS	
RECONVENED: 10:33 AM	RECESSED: 12:25 PM	1 HR / 52 MINS	
RECONVENED: 12:50 PM	RECESSED: 3:02 PM	2 HR / 12 MINS	
RECONVENED: 3:15 PM	RECESSED: 3:52 PM	42 MINS	
RECONVENED: 4:05 PM	ADJOURNED: 5:06 PM	1 HR / 1 MIN	